



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:  
Sorrells *et al.*  
Appl. No.: 09/855,851  
Filed: May 16, 2001  
For: **Apparatus, System, and Method  
for Down-Converting and Up-  
Converting Electromagnetic Signals**

Confirmation No.: 9178  
Art Unit: 2685  
Examiner: Le, Lana N.  
Atty. Docket: 1744.1260001

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**Reply to Restriction Requirement**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

In reply to the Office Action dated June 16, 2004, requesting an election of one invention to prosecute in the above-referenced patent application, Applicants hereby provisionally elect, without acquiescing to the appropriateness of the Restriction Requirement, to prosecute the invention of Specie III, represented by claims 23-33. This election is made without prejudice to or disclaimer of the other claims or inventions disclosed. Applicants reserve the right to file one or more divisional applications directed to the non-elected inventions/species.

This election is made without traverse.

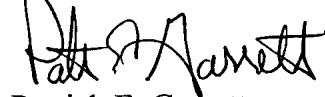
Reconsideration and withdrawal of the Restriction Requirement, and consideration and allowance of all pending claims, are respectfully requested.

It is not believed that extensions of time are required, beyond those that may otherwise be provided for in accompanying documents. However, if additional extensions of time are necessary to prevent abandonment of this application, then such

extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor are hereby authorized to be charged to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



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Date: 10/6/04

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